Message

From: Wehling, Carrie [Wehling.Carrie@epa.gov]

Sent: 9/26/2021 7:18:11 PM

To: Cisar, Elizabeth [Cisar.Elizabeth@epa.gov]; Newton, Cheryl [Newton.Cheryl@epa.gov]

CC: Murray, Regan [Murray.Regan@epa.gov]; Fox, Radhika [Fox.Radhika@epa.gov]; Harris, Michael

[harris.michael@epa.gov]; Walts, Alan [walts.alan@epa.gov]; Thompkins, Anita [Thompkins.Anita@epa.gov]; Blount,

Keyyana [blount.keyyana@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Tejada, Matthew

[Tejada.Matthew@epa.gov]; Bair, Rita [bair.rita@epa.gov]; Parikh, Pooja [Parikh.Pooja@epa.gov]; Chaudhary, Dimple [Chaudhary.Dimple@epa.gov]; Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Nelson, Leverett [nelson.leverett@epa.gov]; Fong, Tera [Fong.Tera@epa.gov]; Sayles, Gregory [Sayles.Gregory@epa.gov]; Bauer, Candice [bauer.candice@epa.gov]; Ash, Christine [Ash.Christine@epa.gov]; Sanders, Amy [Sanders.Amy@epa.gov]

Subject: RE: Prep - Benton Harbor

Thanks, Cheryl, this is helpful messaging (if folks agree on the content).

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks.

Carrie

Caroline (Carrie) Wehling
Assistant General Counsel
Water Law Office
U.S. Environmental Protection Agency
Washington DC 20004
202-564-5492
wehling.carrie@epa.gov

From: Cisar, Elizabeth < Cisar. Elizabeth@epa.gov>
Sent: Sunday, September 26, 2021 3:06 PM
To: Newton, Cheryl < Newton. Cheryl@epa.gov>

Cc: Murray, Regan < Murray. Regan@epa.gov>; Fox, Radhika < Fox. Radhika@epa.gov>; Harris, Michael

<harris.michael@epa.gov>; Walts, Alan <walts.alan@epa.gov>; Thompkins, Anita <Thompkins.Anita@epa.gov>; Blount,

Keyyana <blownt.keyyana@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Wehling, Carrie

<Wehling.Carrie@epa.gov>; Tejada, Matthew <Tejada.Matthew@epa.gov>; Bair, Rita <bair.rita@epa.gov>; Parikh,

Pooja <Parikh.Pooja@epa.gov>; Chaudhary, Dimple <Chaudhary.Dimple@epa.gov>; Neugeboren, Steven

<Neugeboren.Steven@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>; Fong, Tera <Fong.Tera@epa.gov>;

Sayles, Gregory <Sayles.Gregory@epa.gov>; Bauer, Candice <bauer.candice@epa.gov>; Ash, Christine

<Ash.Christine@epa.gov>; Sanders, Amy <Sanders.Amy@epa.gov>

Subject: Re: Prep - Benton Harbor

Cheryl:

Thank you. I would be interested in other's views on the draft messages. Is the message about EPA that is proposed with the door knocking clear and effective? I also think the draft messages should be shared with the petitioners who are part of the filter distribution planning meeting for input.

Thanks.

Elizabeth

On Sep 26, 2021, at 1:27 PM, Newton, Cheryl < Newton. Cheryl@epa.gov > wrote:

Hi everyone — As we look ahead to the coming week, I wanted to provide a quick and high level R5 update from late last week as follows. Also, I copied in R5's MSDD as we'll need to be considering what Benton Harbor activities would meet the definition of needing to continue in the event of a shutdown and thus what additional people will need to be added to our lists. I hope that thought process will then become moot. I know Alan and I will be chatting with Elizabeth early tomorrow. I hope everyone enjoys a nice Sunday afternoon. Thanks

<u>Filter Study</u>: R5 and ORD had a call on Friday with representatives from EGLE and MDHHS to discuss the filter study. Prior to the call, MI had sent over existing sample data we had requested, so some of the technical discussion focused on gaining a sense of that material. MDHHS indicated they continue to target next week to begin the door-to-door filter distribution campaign. A couple communication needs and opportunities were identified:

1) In response to our inquiry, MDHHS is open to including a statement/information that EPA will be conducting a filter study in coming weeks with people coming by some households to collect samples. While this won't be the only form of communication about the study, it's an opportunity to take advantage of their planned door to door.

A short message for consideration as filters are distributed is:

- For your awareness, the Environmental Protection agency will also be studying lead in Benton Harbor in the coming weeks. If visited by them, we welcome your participation in that study.
- 2) In addition to this communication piece, the team took on drafting a broader message for the study. As Elizabeth alludes to below, key for EPA will be messaging on the use of filters in general so as, for example, to avoid people viewing the study as a reason to discontinue filter use and describing the purpose of the Benton Harbor study. This message could be used by EGLE, MDHHS, or EPA as we are out in the community should there be questions on filter effectiveness.

A message for consideration drafted/reviewed among R5, OW and ORD is as follows:

• Everything we have seen to date in studies conducted in Michigan and across the country suggests that properly certified filters for lead removal that are installed and maintained properly are effective in reducing lead concentrations in drinking water. Filters dramatically reduced lead concentrations in Newark; only a small number of filters did not work as expected. Specifically, in Newark, 198 properly installed and maintained filters were studied, and 5 of the filters did not work as expected. In Benton Harbor, as in all communities, we urge residents to continue using filters as recommended and follow other state guidance. In response to questions from the community and out of an abundance of caution, we will be undertaking a study to confirm our expectations on filter effectiveness. This study is one of the many ways that EPA is working with the community, state and local partners, to evaluate public health risks from lead exposures.

With regard to the study outline, the Team is continuing to draft. As noted above, one key element will be determining whether EPA can draw any conclusions from the MI data and how that could impact study design, timeframes, etc. We will see these kinds of decision points outlined in the draft study design. The R5 and ORD technical team will convene again Monday morning.

<u>Filter and Water Distribution:</u> R5 and EGLE will touch base Monday. EGLE expects to have a better sense at the beginning of the week about when an internal meeting will be possible. EGLE/DHHS are still working through the filter distribution plan. R5 is strongly encouraging that EPA be brought in as soon as

possible, since we could provide helpful input from our experience. Additionally, MDHHS is working to set up a meeting with petitioners that Alan Walts will join.

From: Cisar, Elizabeth < <u>Cisar, Elizabeth@epa,gov</u>> Sent: Thursday, September 23, 2021 6:37 AM

To: Murray, Regan < Murray.Regan@epa.gov>; Newton, Cheryl < Newton.Cheryl@epa.gov>

Cc: Fox, Radhika < Fox. Radhika@epa.gov >; Harris, Michael < harris.michael@epa.gov >; Walts, Alan

<walts.alan@epa.gov>; Thompkins, Anita < Thompkins.Anita@epa.gov>; Blount, Keyyana

<blount.keyyana@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Wehling, Carrie

< Wehling. Carrie@epa.gov >; Tejada, Matthew < Tejada. Matthew@epa.gov >; Bair, Rita

chaudhary, Parikh, Pooja@epa.gov>; Chaudhary, Dimple

<<u>Chaudhary.Dimple@epa.gov</u>>; Neugeboren, Steven <<u>Neugeboren.Steven@epa.gov</u>>; Nelson, Leverett

<nelson.leverett@epa.gov>; Fong, Tera <Fong.Tera@epa.gov>; Sayles, Gregory

<Sayles.Gregory@epa.gov>; Bauer, Candice <bauer.candice@epa.gov>; Ash, Christine

<<u>Ash.Christine@epa.gov</u>>

Subject: RE: Prep - Benton Harbor

Regan and Candice:

Ex. 5 Deliberative Process (DP)

I'm looping in Christine Ash on this chain as she worked on the filter distribution in Newark. Alan, if possible, I think we should see if Christine could be part of the conversations with EGLE and community members about the filter distribution planning. I think hearing directly about the Newark experience could be beneficial.

Thanks.

Elizabeth Cisar

Cisar.Elizabeth@epa.gov

Phone: (202)-564-4382; Cell : Ex. 6 Personal Privacy (PP)

From: Murray, Regan < Murray.Regan@epa.gov > Sent: Wednesday, September 22, 2021 4:24 PM

To: Newton, Cheryl < Newton. Cheryl@epa.gov >; Cisar, Elizabeth < Cisar. Elizabeth@epa.gov >

Cc: Fox, Radhika < Fox. Radhika@epa.gov >; Harris, Michael < harris.michael@epa.gov >; Walts, Alan

<walts.alan@epa.gov>; Thompkins, Anita <Thompkins.Anita@epa.gov>; Blount, Keyyana

<bloomt.keyyana@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Wehling, Carrie

<Wehling.Carrie@epa.gov>; Tejada, Matthew <Tejada.Matthew@epa.gov>; Bair, Rita

<bair.rita@epa.gov>; Parikh, Pooja <Parikh.Pooja@epa.gov>; Chaudhary, Dimple

<Chaudhary.Dimple@epa.gov>; Neugeboren, Steven < Neugeboren.Steven@epa.gov>; Nelson, Leverett

<nelson.leverett@epa.gov>; Fong, Tera <fong.Tera@epa.gov>; Sayles, Gregory

<Sayles.Gregory@epa.gov>

Subject: RE: Prep - Benton Harbor

Hi Elizabeth and all,

Ex. 5 Deliberative Process (DP)

Hope this is helpful in your decision making,

Thanks, Regan

From: Newton, Cheryl < Newton. Cheryl@epa.gov > Sent: Wednesday, September 22, 2021 9:26 AM To: Cisar, Elizabeth < Cisar. Elizabeth@epa.gov >

Cc: Fox, Radhika <Fox.Radhika@epa.gov>; Harris, Michael <harris.michael@epa.gov>; Walts, Alan

<walts.alan@epa.gov>; Thompkins, Anita < Thompkins.Anita@epa.gov>; Blount, Keyyana

<blount.keyyana@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Wehling, Carrie

<Wehling.Carrie@epa.gov>; Tejada, Matthew <Tejada.Matthew@epa.gov>; Bair, Rita

<<u>bair.rita@epa.gov</u>>; Parikh, Pooja <<u>Parikh.Pooja@epa.gov</u>>; Chaudhary, Dimple

<<u>Chaudhary.Dimple@epa.gov</u>>; Neugeboren, Steven <<u>Neugeboren.Steven@epa.gov</u>>; Nelson, Leverett

<nelson.leverett@epa.gov>; Fong, Tera <Fong.Tera@epa.gov>; Murray, Regan

<<u>Murray.Regan@epa.gov</u>>

Subject: RE: Prep - Benton Harbor

Yes, we will take that. I had copied in Regan towards that end. Thanks!

From: Cisar, Elizabeth < Cisar, Elizabeth@epa.gov > Sent: Wednesday, September 22, 2021 8:16 AM To: Newton, Cheryl < Newton. Cheryl@epa.gov >

Cc: Fox, Radhika < Fox.Radhika@epa.gov >; Harris, Michael < harris.michael@epa.gov >; Walts, Alan

<waits.alan@epa.gov>; Thompkins, Anita <Thompkins.Anita@epa.gov>; Blount, Keyyana

<bloom\tkeyyana@epa.gov\rightarrow\textra{Pollins, Mark < Pollins.Mark@epa.gov\rightarrow\textra{Pollins, Mark < Pollins.Mark < Pollins.Mark < Pollins.Wark < Pol

<Wehling.Carrie@epa.gov>; Tejada, Matthew <Tejada.Matthew@epa.gov>; Bair, Rita

<bair.rita@epa.gov>; Parikh, Pooja < Parikh.Pooja@epa.gov>; Chaudhary, Dimple

<Chaudhary.Dimple@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Nelson, Leverett

<nelson.leverett@epa.gov>; Fong, Tera <Fong.Tera@epa.gov>; Murray, Regan

<Murray.Regan@epa.gov>

Subject: RE: Prep - Benton Harbor

Ex. 5 Deliberative Process (DP)

If you can get that question to ORD, that would be great.

Thanks.

Elizabeth Cisar

Cisar.Elizabeth@epa.gov

Phone: (202)-564-4382; Cell: Ex. 6 Personal Privacy (PP)

From: Newton, Cheryl < Newton. Cheryl@epa.gov > Sent: Wednesday, September 22, 2021 8:09 AM To: Cisar, Elizabeth < Cisar. Elizabeth@epa.gov >

Cc: Fox, Radhika <Fox.Radhika@epa.gov>; Harris, Michael <harris.michael@epa.gov>; Walts, Alan

<walts.alan@epa.gov>; Thompkins, Anita < Thompkins.Anita@epa.gov>; Blount, Keyyana

<blount.keyyana@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Wehling, Carrie

< Wehling. Carrie@epa.gov>; Tejada, Matthew < Tejada. Matthew@epa.gov>; Bair, Rita

<bair.rita@epa.gov>; Parikh, Pooja <Parikh.Pooja@epa.gov>; Chaudhary, Dimple

<<u>Chaudhary.Dimple@epa.gov</u>>; Neugeboren, Steven <<u>Neugeboren.Steven@epa.gov</u>>; Nelson, Leverett

<nelson.leverett@epa.gov>; Fong, Tera <Fong.Tera@epa.gov>; Murray, Regan

<<u>Murray.Regan@epa.gov</u>>

Subject: RE: Prep - Benton Harbor

Good morning everyone – I was able to have a brief chat with Aaron just now, summarized as follows:

- EGLE will continue to work on the various plans and information that has been requested and will share the pieces/updates as they get them done.
- Aaron understands we will need to discuss the bottled water outline he shared, including the October 8th date.
- Aaron described the State's commitment as of today being the provisioning of bottled water until the filters are deployed to all residences, which they expect to be completed by/before October 8th. Aaron described the State's assumption being the filters will work based on everything known. According to Aaron, starting with the opposite assumption and needing a study to affirm filters are working would indicate bottled water delivery and a filter study should be occurring in all of their ALE areas.
- I shared our interest in working through these issues with EGLE, allowing us to be as aligned as possible in the coming discussions with the petitioners.
- Aaron said he'd share the feedback with Liesl. He observed that going forward we will probably want to have both Liesl/EGLE and Elizabeth H/MI DHHS involved given the different roles.

Let me know if any questions, or if there is additional follow-up desired ahead of our meetings. Thanks

From: Newton, Cheryl

Sent: Tuesday, September 21, 2021 7:19 PM **To:** Cisar, Elizabeth < Cisar, Elizabeth @epa.gov>

Cc: Fox, Radhika < Fox.Radhika@epa.gov>; Harris, Michael < harris.michael@epa.gov>; Walts, Alan

<walts.alan@epa.gov>; Thompkins, Anita <Thompkins.Anita@epa.gov>; Blount, Keyyana

hount.keyyana@epa.gov>; Pollins, Mark <
Pollins.Mark@epa.gov>; Wehling, Carrie

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<bair.rita@epa.gov>; Parikh, Pooja <Parikh.Pooja@epa.gov>; Chaudhary, Dimple

<<u>Chaudhary.Dimple@epa.gov</u>>; Neugeboren, Steven <<u>Neugeboren.Steven@epa.gov</u>>

Subject: Re: Prep - Benton Harbor

Thanks Elizabeth- That seems right to me; what jumped out quickly was the October 8 item but we need to take a closer look at everything from our perspective and with greater understanding of the

petitioners' views. I'll look for any other feedback overnight and plan on calling Aaron in the morning.

Sent from my iPhone

On Sep 21, 2021, at 6:51 PM, Cisar, Elizabeth < Cisar, Elizabeth@epa.gov > wrote:

Cheryl:

Thank you. I've let Radhika know that Liesl can be invited and we will handle that.

In terms of talking to Aaron, my sense is that it is fine to let him know EPA will want to talk more about the October 8 date - among other things.

Ex. 5 Deliberative Process (DP)

Does that make sense?

Elizabeth Cisar

Cisar.Elizabeth@epa.gov

Phone: (202)-564-4382; Cell Ex. 6 Personal Privacy (PP)

From: Newton, Cheryl < Newton. Cheryl@epa.gov> Sent: Tuesday, September 21, 2021 6:19 PM To: Cisar, Elizabeth < Cisar, Elizabeth@epa.gov>

Cc: Fox, Radhika <Fox.Radhika@epa.gov>; Harris, Michael <harris.michael@epa.gov>; Walts, Alan <walts.alan@epa.gov>; Thompkins, Anita <Thompkins.Anita@epa.gov>; Blount, Keyyana < blount.keyyana@epa.gov>; Pollins, Mark < Pollins.Mark@epa.gov>;

Wehling, Carrie < Wehling. Carrie@epa.gov >; Tejada, Matthew

<Tejada.Matthew@epa.gov>; Bair, Rita <bair.rita@epa.gov>; Parikh, Pooja <Parikh.Pooja@epa.gov>; Chaudhary, Dimple <Chaudhary.Dimple@epa.gov>;

Neugeboren, Steven < Neugeboren. Steven@epa.gov>

Subject: Re: Prep - Benton Harbor

Thanks Elizabeth- I'm assuming OW will reach out to Liesl. Given Aaron's email and our chat with ORD this afternoon, I can reach out to Aaron and let him know for sure we will want to have more discussion with EGLE about the October 8 target for stopping bottled water. I would hate for that to undermine what should be a good discussion tomorrow if Liesl can join. That's what I'll do first thing in the am unless anyone has other suggestions/concerns. Thanks

Sent from my iPhone

On Sep 21, 2021, at 4:12 PM, Cisar, Elizabeth < Cisar. Elizabeth@epa.gov> wrote:

I was able to speak with Sylvia Orduño. She is comfortable having Liesl join our meeting with Petitioners tomorrow.

Elizabeth Cisar

Cisar.Elizabeth@epa.gov

Phone: (202)-564-4382; Cell: Ex. 6 Personal Privacy (PP)

-----Original Appointment-----

From: Owscheduling < Owscheduling@epa.gov> Sent: Friday, September 17, 2021 8:20 AM

To: Owscheduling; Fox, Radhika; Cisar, Elizabeth; Newton, Cheryl;

Harris, Michael; Walts, Alan; Thompkins, Anita; Blount, Keyyana; Pollins,

Mark; Wehling, Carrie; Tejada, Matthew

Cc: Bair, Rita; Parikh, Pooja; Chaudhary, Dimple; Neugeboren, Steven

Subject: Prep - Benton Harbor

When: Tuesday, September 21, 2021 12:00 PM-12:45 PM (UTC-05:00)

Eastern Time (US & Canada). Where: Microsoft Teams Meeting

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